THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

TAKEN UP W.P.No.19029 OF 2005

Between:

Seggyam Saraiah.

...Petitioner.

AND

The Station House Officer, Kothagudem

Police Station and two others.

.Respondents.

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Dated:06.09.2005

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THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

TAKEN UP W.P.No.19029 OF 2005

ORDER: (Per MVR,J)

This taken up writ petition arises out of a telegram allegedly issued by the petitioner. The telegram runs as follows:

> "My elder sister Seggyam Sammakka @ Sujatha, D/o.late Somaiah, Age:26 years, R/o.Pethalla Gadda, Garla Bayyaram Mandal, Khammam District was arrested on 21-8-2005 at about 3.00 P.M. at Mondikunta Centre of Aswapuram Mandal, Khammam District by Anti Naxalites Squad, and she handed over to O.S.D. Kothagudem. She was not at produced before any court till today. Police may kill her in fake encounter. Treat this fax as writ of Habeas Corpus and issue necessary directions to release her."

After notice of the matter is taken by the learned Advocate General, the Additional Superintendent of Police (Operations) (Officer on Special Duty), Khammam District, Kothagudem filed his counter affidavit before this Court, wherein it is stated that the enquiries revealed that the detenu herself surrendered before the Circle Inspector of Police, Manuguru, Khammam district on 01.09.2005 and confessed that she worked with Janashakthi Dalam (Rajanna group) and she wanted to join the main-stream. A case in Crime No.136 of 2005, under Section 41(1)(a) of the Criminal Procedure Code, of Manuguru Police Station was registered on 01.09.2005 and she was also produced before the Mandal Executive Magistrate, Manuguru along with a report under Section 108 Cr.P.C. The counter affidavit further reveals that the Mandal Executive Magistrate, Manuguru released the detenu on the same day after obtaining a personal bond from her in M.C.No.3 of 2002, on his file. In view of the fact that the detenu was produced before the Mandal Executive Magistrate and she was released after taking bond from her, there cannot be any threat to her life. We feel that no further steps are necessary in the writ petition.

The writ petition is accordingly closed at the admission stage.

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J.CHELAMESWAR, J.

Date: 06.09.2005

M.VENKATESWARA REDDY, J.